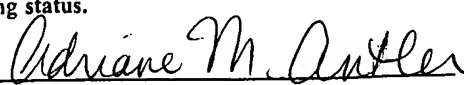


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| FORM PTO-1390 (REV. 9-2001) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER 8471-007-999 | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | | |
| INTERNATIONAL APPLICATION NO. PCT/US99/13024 | | INTERNATIONAL FILING DATE June 11, 1999 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/009874 | |
| PRIORITY DATE CLAIMED | | | | | |
| TITLE OF INVENTION GENE AND PROTEIN SEQUENCES OF PHAGE T4 GENE 35 | | | | | |
| APPLICANT(S) FOR DO/EO/US Edward B. Goldberg | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | |
| 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. | | | | | |
| 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. | | | | | |
| 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. | | | | | |
| 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). | | | | | |
| 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) | | | | | |
| a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). | | | | | |
| b. <input type="checkbox"/> has been communicated by the International Bureau. | | | | | |
| c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). | | | | | |
| 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). | | | | | |
| a. <input type="checkbox"/> is attached hereto. | | | | | |
| b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). | | | | | |
| 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Appln. under PCT Article 19 (35 U.S.C. 371(c)(3)) | | | | | |
| a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). | | | | | |
| b. <input type="checkbox"/> have been communicated by the International Bureau. | | | | | |
| c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. | | | | | |
| d. <input checked="" type="checkbox"/> have not been made and will not be made. | | | | | |
| 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). | | | | | |
| 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). | | | | | |
| 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | | | | |
| Items 11 to 20 below concern document(s) or information included: | | | | | |
| 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. | | | | | |
| 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. | | | | | |
| 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment with Exhibits A-D. | | | | | |
| 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. | | | | | |
| 15. <input type="checkbox"/> A substitute specification. | | | | | |
| 16. <input type="checkbox"/> A change of power of attorney and/or address letter. | | | | | |
| 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. | | | | | |
| 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). | | | | | |
| 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). | | | | | |
| 20. <input checked="" type="checkbox"/> Other items or information: | | | | | |
| (1) copy of the PCT Written Opinion dated June 28, 2001, issued in connection with PCT/US99/13024 (attached to the enclosed Preliminary Amendment Under 37 C.F.R. § 1.115 as Exhibit C); | | | | | |
| (2) copy of the Reply to Written Opinion filed July 30, 2001 in connection with PCT/US99/13024 (attached to the enclosed Preliminary Amendment Under 37 C.F.R. § 1.115 as Exhibit D); and | | | | | |
| (3) Copy of WO 00/77196 A1, publication of PCT/US99/13024. | | | | | |

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/009874 | | INTERNATIONAL APPLICATION NO. PCT/US99/13024 | | ATTORNEY'S DOCKET NUMBER 8471-007-999 | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | CALCULATIONS PTO USE ONLY | |
| | | | | \$ 710.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | 47 - 20 = | 27 | x \$18.00 | \$ 486.00 | |
| Independent claims | 24 - 3 = | 21 | x \$84.00 | \$ 1,764.00 | |
| | | | + \$280.00 | \$ 280.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | \$ 3,240.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1,620.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ 1,620.00 | |
| SUBTOTAL = | | | | \$ 1,620.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 1,620.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ 1,620.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. | | | | | |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>16-1150</u> in the amount of \$ <u>1,620.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>16-1150</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Pennie & Edmonds LLP 1155 Avenue of the Americas New York, New York 10036 | | | |  SIGNATURE Adriane M. Antler NAME 32,605 REGISTRATION NUMBER Date: December 11, 2001 | |